Standing Finance Committee Members for 1111—1112 M. E.

Mr. President.—I have to announce that only three nominations to the standing Finance Committee have been received. The following gentlemen are therefore declared to be duly elected to constitute the Standing Finance Committee.

Mr. E. Ikkanda Warriar.

Mr. V. K. Krishnankutty.

Mr. M. V. Cherian.

The Cochin Contempt of Courts Bill.

Mr. Thomas Manjuran.—I move that the Cochin Contempt of Courts be finally passed.

Mr. M. P. Cherian.—I second it.

Motion put and carried.

The Cochin Trade Unions Bill.

Mr. Thomas Manjuran.—I move that the Cochin Trade Unions Bill be taken up and passed.

Mr. M. P. Cherian.—I second it.

Motion put and carried.

Amendment to S. O. No. 11.

Mr. T. S. Balarama Ayyar.—Mr. President, Sir, I beg leave of the House to present the Select Committee Report on the amendment to S. O. 11. The report runs as follows:—

"We, the members of the Select Committee appointed to consider Mr. T. S. Balarama Ayyar's amendment to the Standing order 11 of the Legislative Council, have the honour to submit the following report :—

"The Committee met on the 26th Dhanu 1111 and resolved that in the proposed amendment 'one hour' should be substituted for 'half an hour' in Standing Order 11 (1).

"Since the amendment proposed is purely of a verbal nature we do not think that it requires republication."

To the benefit of this House may I read the Standing Order as amended by the Select Committee?

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"Questions which have not been disallowed shall be numbered and printed copies thereof sent to every member so as to reach his permanent address at least three clear days before the commencement of the meeting at which they have been desired to be put. Printed copies of the questions included in the list of business for each day and their answers shall be given to every member at least one hour before the sitting commences that day. These questions shall be called, if the time made available for question permits, in the order in which they stand in the list, before any other business is entered upon at the meeting and when the questions are thus called, the member in whose name they stand "or in his absence, the member duly authorised by him in writing in such manner as the President may direct, stand in his place and the answers shall then be read out.

2. Government may decline to answer any question even if it has been duly allowed by the President, if in their opinion the time and expense involved in the collection of the information required is not commensurate with the result".

Mr. P. Raman Menon.—I second it.

Mr. Thomas Manjuran.—Sir, the amendment proposed relates to three points. The first is that questions which have not been disallowed shall be numbered and printed copies thereof sent to every member so as to reach his permanent address at least three clear days before the commencement of the meeting at which they have been desired to be put". This part of the amendment the Government regret they are not in a position to accept. For one thing, it generally happens that in view of the large number of questions the Hon'ble Members send in every session quite a high proportion of those questions are never answered in the House. But to print and circulate these questions irrespective of the chance of any one of them ever being answered by the Government will be a further waste of time and money, nor is such a practice available in any legislature in India.

Mr. T. S. Balarama Ayyar.—In Travancore this practice is in vogue.

Mr. Thomas Manjuran.—I am not aware of the practice that has been introduced in the Sri Chithira State Council and in the Assembly.

On the merits, the Government consider that the adoption of this amendment would involve unnecessary expenditure of time and money.

With regard to the second suggestion, viz., that answers should be 'given at least one hour before the sitting commences' the existing practice is to place the answers at the seats of the

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Hon'ble Members one hour before the sitting begins, i. e., at 10 o'clock.

Then with regard to 'sending it to every member so as to reach his permanent address at least three clear days before the commencement of the meeting' it may not be quite possible. Obviously there is hardly anything in these amendments. If the Hon'ble Member's intention is that it should be placed or should be made available in the Council at least half an hour before the sitting we have got the practice already.

Mr. T. S. Balarama Ayyar.—If he sends a letter is there any objection for you to send it?

Mr. President.—Not at all. There won't be any objection.

Mr. T. S. Balarama Ayyar.—Then the amendment if accepted would come to that.

Mr. President.—The word is 'shall'. There is an obligation on the part of the Government to send it.

Then with regard to the third point viz., "Government may decline to answer any question, even if it has been duly allowed by the President if in their opinion the time and expense involved in the collection of the information required is not commensurate with the result", the Government have absolutely no objection to the adoption of that amendment.

Mr. E. Ikkanda Warriar.—May I know whether the Government will send copies to the residence of the Members if they send a man?

Mr. Thomas Manjuran.—Any time between 10 and 11 o' clock the Government have no objection to hand over the answers to them. The letter may be addressed to the Secretary to the Council.

Mr. President.—I really think it is not worthwhile to amend a Standing Order unless the necessity is really felt. I think the House must concentrate upon the first part. With regard to the availability of the answers before one hour, we will make it a practice to make it available before one hour.

Mr. T. S. Balarama Ayyar.—The Hon'ble Law Member's chief objections seem to be that it is not worth the trouble to print and circulate all the questions and that the result is not commensurate with the trouble involved. My own idea is that it will be very useful in more than one respect. In the first place there are very many questions which certainly do not

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see the light of day. There may be some important questions and it will be advisable for the Council to know what those questions are. This will be especially so when one council is dissolved. The members of the 5th legislative council may not be the same as the members of the 4th council. Some important questions might have been put by some of the Hon'ble Members of the 4th legislative Council and those questions might have lapsed. The new Members will certainly gain something by having a knowledge of those questions.

Then again, duplication of questions can be avoided. One Particular Member sends about 40 or 50 questions to be answered. None of the other members are in the know of what those questions are. Even today we find one question put by the Member for Wadakkancheri is exactly the same as a question put by me. That could be avoided. I think it will be certainly very useful to know which all questions are put and admitted by the Government and the knowledge of the questions before they really come before the meeting will actually be useful. I request the Government should not mind the small expenditure entailed and the trouble involved in this.

Mr. President.—In the legislative Assembly there is a practice. Questions are admitted by the Hon'ble President and a copy of that is put upon the notice board so that it really sees the light of day. There is no difficulty on that point. If that is what the Hon'ble Members wish certainly we have no objection, to place two or three copies of a list of admitted questions on the table of the House, and made available to any Hon'ble Member who may want it for reference.

More than 900 questions are received during one session and the actual printing of those things, I think, will certainly involve a considerable amount of time and money. If the objection of the Hon'ble Members is to make those questions available for reference to the Hon'ble Members by means of making the copies available in the Legislative Council Office I think there will be no question for that.

Government will certainly have no objection to place copies of admitted questions at the Legislative Council Office for reference by any Honourable Member of this House.

Mr. T. S. Balarama Ayyar.—On the assurance of the President on this point I am prepared to withdraw my amendment.

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Mr. President.—That practice should be observed from the next session.

Amendment was, by leave, withdrawn.

The Cochin Tenancy and Kudiyirippu Bill.

Mr. P. Kumaran Ezhuthassan.—Mr. President, Sir, I move that the Cochin Tenancy and Kudiyirippu Bill be read in Council.

Mr. T. K. Nayar.—I second it.

Mr. C. S. Viswanatha Ayyar.—Sir, I oppose the Bill. I regret very much that I have to oppose this non-official measure for more reasons than one in the interests of the tenants as well as the land-lords. Conditions in Cochin-State have not in the least undergone any material changes during the last few years necessitating the passing of such a piece of legislation. Whatever be the cases of tenants elsewhere, I can speak with a certain amount of definiteness that the tenants in Chittur are all quite happy under the existing Tenancy Regulation which to them is a great boon in itself. The tenants in Chittur have never raised a single voice of protest against the compulsory evictions effected by the Jenmies but on the other hand they have always welcomed such evictions since the Courts always award them compensations which is always higher than the actual amount spent by them over their improvements. In certain cases due to such awards being made by virtue of the provisions of the Tenancy Regulation, the landlord finds himself almost in an impossible position to have the tenant evicted with the natural result that the tenant by lapse of time becomes the owner of the jenm right as well, which he gets for nothing. The present law has given the fullest satisfaction to the tenants and I therefore see no reason why another law should be enacted. As far as Kudiyirippu lands are concerned, I can say that they are leased out purely out of humanitarian motives. Instances are not wanting where we find the landlord unwilling to part with ownership of even an inch of land but at the same time willing to give for use and occupation some plot retaining the ownership in his own lands. The immediate effect of this proposed piece of legislation will only mean that the landlord will not hereafter allow anyone to put up even a shed on his land for fear the owner of the shed will one day come forward to claim to have the title to the property being passed over to him. I am not now going into the details of the proposed legislation but am opposing it on its own principles and on

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